

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

QUANDA SIMONE BROWN,

Plaintiff,

v.

BANK OF AMERICA, N.A. AS
SUCCESSOR BY MERGER TO
LASALLE BANK N.A. AS TRUSTEE
FOR CERTIFICATE-HOLDERS OF
BEAR STEARNS ASSET-BACKED
SECURITIES I LLC, ASSET-BACKED
CERTIFICATES, SERIES 2007-HE 2,

Defendants.

NO. 3:15-CV-01820

(JUDGE CAPUTO)

(MAGISTRATE JUDGE SCHWAB)

ORDER

NOW, this 9th day of September, 2016, upon review of the Report and Recommendation of Magistrate Judge Schwab (Doc. 29) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 29) is **ADOPTED in its entirety**.
- (2) Defendants' Motion to Dismiss Plaintiff's Amended Complaint (Doc. 15) is **GRANTED**.
- (3) Plaintiff will be given **thirty (30) days** leave to file a second amended complaint, if appropriate, to state a FDCPA claim that falls within the statute of limitations and that states a claim upon which relief can plausibly be granted. If Plaintiff fails to do so, the action will be dismissed with prejudice and the case will be closed; and
- (3) The matter is **RECOMMITTED** to Magistrate Judge Schwab for further proceedings.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge